

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

MIGUEL SARANTE,
JEFFRY GUZMAN DE LA CRUZ,
a/k/a "Andres," and
FERNANDO SARANTE,

Defendants.

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x

SEALED INDICTMENT

20 Cr. ____

20 CRIM 157

COUNT ONE

The Grand Jury charges:

1. In or about March 2017, in the Southern District of New York and elsewhere, MIGUEL SARANTE, JEFFRY GUZMAN DE LA CRUZ, a/k/a "Andres," and FERNANDO SARANTE, the defendants, and others known and unknown, knowingly did combine, conspire, confederate, and agree together and with each other to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, MIGUEL SARANTE, GUZMAN DE LA CRUZ, FERNANDO SARANTE and others conspired to rob an individual they believed to be a drug dealer in the Bronx, New York.

(Title 18, United States Code, Section 1951.)

COUNT TWO

The Grand Jury further charges:

2. On or about March 3, 2017, in the Southern District of New York and elsewhere, MIGUEL SARANTE, JEFFRY GUZMAN DE LA CRUZ, a/k/a "Andres," and FERNANDO SARANTE, the defendants, knowingly did attempt to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and did aid and abet the same, to wit, MIGUEL SARANTE, GUZMAN DE LA CRUZ, and FERNANDO SARRANTE attempted to rob at gunpoint an individual they believed to be a drug dealer in the Bronx, New York.

(Title 18, United States Code, Sections 1951 and 2.)

COUNT THREE

The Grand Jury further charges:

3. On or about March 3, 2017, in the Southern District of New York and elsewhere, MIGUEL SARANTE, JEFFRY GUZMAN DE LA CRUZ, a/k/a "Andres," and FERNANDO SARANTE, the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the attempted robbery charged in Count Two of this Indictment, knowingly did use and carry a firearm, and in

furtherance of such offense, did possess such a firearm, and did aid and abet such use, carrying and possession of a firearm, which was brandished and discharged.

(Title 18, United States Code, Sections
924(c)(1)(A)(i), (ii), (iii), and 2.)

FORFEITURE ALLEGATION AS TO COUNTS ONE and TWO

4. As a result of committing the offenses charged in Counts One and Two of this Indictment, MIGUEL SARANTE, JEFFRY GUZMAN DE LA CRUZ, a/k/a "Andres," and FERNANDO SARANTE, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

Substitute Asset Provision

5. If any of the above described forfeitable property, as a result of any act or omission of MIGUEL SARANTE, JEFFRY GUZMAN DE LA CRUZ, a/k/a "Andres," and FERNANDO SARANTE, the defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

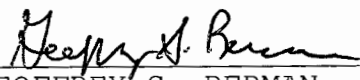
d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


FOREPERSON


GEOFFREY S. BERMAN
United States Attorney

UNITED STATES DISTRICT COURT
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SEALED INDICTMENT

20 Cr. ____

(18 U.S.C. §§ 2, 924(c), and 1951)

GEOFFREY S. BERMAN

United States Attorney.



Foreperson

2/25/2020

NE.

Sealed Indictment
Arrest Warrant Included

Sarah L. Cave
USMJ